

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
TUESDAY, FEBRUARY 18, 2003 AT 10:00 A.M.  
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**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
TUESDAY, FEBRUARY 18, 2003 AT 10:00 A.M.  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS - 12TH FLOOR  
202 "C" STREET  
SAN DIEGO, CA 92101**  
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**NOTE:** The public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. - 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

**NOTE:** Due to the Presidents' Day holiday, the meeting of Monday, February 17, 2003 will be held in conjunction with the regularly scheduled meeting of Tuesday, February 18, 2003.

ITEM-1:                      ROLL CALL.

ITEM-10:                    INVOCATION.

ITEM-20:                    PLEDGE OF ALLEGIANCE.

**SPECIAL ORDERS OF BUSINESS**

ITEM-30:    Attorney of the Year 2002 Award.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-948)

Recognition and presentation of Attorney of the Year 2002 award.

## **SUPPORTING INFORMATION:**

The attorneys in the San Diego City Attorney's Office Civil Division protect the quality of life and the public fisc of the people of San Diego by defending and prosecuting civil lawsuits, and advising and counseling the City. They provide legal services to the City with professionalism and excellence, focusing on:

1. Just, effective, and ethical lawyering;
2. Early intervention and proactive problem solving; and,
3. Promoting public awareness of legal issues affecting the people of San Diego.

The attorneys meet these goals with a dedicated staff in a challenging, congenial, cohesive, and professional working environment where everyone is treated with dignity and respect.

## **PURPOSE**

The Attorney of the Year Award acknowledges and rewards the Civil Division Deputy City Attorney whose professional accomplishments, abilities, and contributions to the community best demonstrated and fulfilled the goals of the San Diego City Attorney's Office during the last year.

## **ELIGIBILITY**

- Deputy in the Civil Division (including Head Deputies and Senior Deputies)
- Full-time or part-time
- Employed as a deputy for all of the 2002 calendar year

## **NON-AGENDA PUBLIC COMMENT**

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject**, regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under "Non-Agenda Public Comment."

## **COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT**

## **REQUESTS FOR CONTINUANCE**

The Council will now consider requests to continue those items scheduled to be heard at this morning's session. Requests to continue items scheduled to be heard at 2:00 p.m. will be taken at the beginning of the afternoon session.

## **CONSENT ITEMS**

The following listed items are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (\*).

### **ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION:**

Item 50.

### **ORDINANCES TO BE INTRODUCED:**

Items 51, 52 and 53.

### **RESOLUTIONS TO BE ADOPTED:**

Items 100, 101, 102, 103, 104, 105, 106 and 107.

## **ADOPTION AGENDA, CONSENT ITEMS**

### **ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION:**

\* ITEM-50: Amendment to Pacific Highlands Ranch (Subarea III) Community Park Site Purchase Agreement.

(Pacific Highlands Ranch - Subarea III. District-1.)

## **CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 2/3/2003. (Council voted 7-1. Councilmember Maienschein voted nay. Councilmember Peters not present.):

(O-2003-75)

Authorizing the City Manager to execute a First Amendment to Pacific Highlands Ranch - Subarea III NCFUA Community Park Site Purchase Agreement with Pardee Homes, contingent upon evidence, satisfactory to the City Manager and City Attorney, that the District has purchased the Alternative Park Site and transferred fee title of same to Pardee Homes;

Declaring that in the event the City Manager and the City Attorney do not receive

satisfactory evidence that the District has purchase the Alternative Park Site and transferred fee title of same to Pardee Homes within 180 days of the effective date of this ordinance, this ordinance shall become void.

**NOTE:** 6 votes required pursuant to Section 99 of the City Charter.

**ADOPTION AGENDA, CONSENT ITEMS**  
**ORDINANCES TO BE INTRODUCED:**

- \* ITEM-51: Joint Use Cooperative Agreement Between the City of San Diego and the San Diego Unified School District.

(District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2003-961)

Introduction of an Ordinance authorizing the City Manager, or his designee, to execute a Joint Use Cooperative Agreement for joint use of the future Main Library with the San Diego Unified School District of San Diego County, California, in support of the City's application for a California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 (Proposition 14) Grant.

**NOTE:** 6 votes required pursuant to Section 99 of the City Charter.

**CITY MANAGER SUPPORTING INFORMATION:**

Staff will be re-submitting the application for a Proposition 14 State Bond grant application for the Main Library in the second round of applications due March 28, 2003. This project will move forward as "first priority" project if a joint use agreement is in place.

As specified in the Education Code, Section 19994(a)(1), "first priority for new public libraries shall be given to joint use projects in which the agency that operates the library and one or more school district(s) have a cooperative agreement. [See Sections 20440(d)(1) and Appendix 2 for information about Cooperative Agreements]".

The School Agreement for the Main Library must be attached to the grant application. In this agreement, the Library and School District will work collaboratively and cooperatively on aligning the curriculum with the library's collection, providing an independent learning/homework center environment, youth empowerment projects through volunteer and internships opportunities, shared technology in evaluating electronic resources and a "technoculture" project to explore ways joint programming for students can be developed through electronic means.

The San Diego Unified School District will be contributing \$150,000 to the Library in support of electronic resources for the “Shared Technology” and “Technoculture” projects. San Diego High School and Sherman Elementary School will be schools that will partner with the Library to evaluate and refine the projects set forth in the agreement.

The City Attorney states that because the City will be obligated to an agreement longer than 5 years, this item should be approved by ordinance pursuant to Charter Section 99. The Ordinance would authorize the City Manager (or his designee) to enter into a Joint Use Cooperative Agreement with the San Diego Unified School District should any grant be awarded. The agreement would be null and void if there is no grant award. The City has a current joint use agreement in place with the San Diego Unified School District for the Logan Heights Branch Library, which has received a Proposition 14 grant award.

Staff, therefore, recommends that this Ordinance be approved and the Manager direct the Library Director as his designee to enter into Joint Use Cooperative Agreement with the San Diego Unified School District.

**FISCAL IMPACT:**

There may be some minimal costs associated with replacing textbooks that may become lost.

Herring/Tatar/ES

**ADOPTION AGENDA, CONSENT ITEMS**  
**ORDINANCES TO BE INTRODUCED:**

\* ITEM-52: Exempting a Retirement Division Manager Position from the Classified Service.

**RETIREMENT OFFICE'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2003-110)

Introduction of an Ordinance exempting the position of a Retirement Division Manager from the Classified Service in the San Diego City Employees' Retirement System (SDCERS) and declaring it to be in the Unclassified Service of the City of San Diego.

**SUPPORTING INFORMATION:**

On December 5, 2002, the Civil Service Commission reviewed a request from the Retirement Administration to exempt a Division Manager Position from the Classified Service. This position will (1) develop and implement the San Diego City Employees' Retirement System's long-range strategic plan and business plan, (2) develop and implement a new benefits records-keeping system, and (3) make operational and financial policy recommendations to the Retirement Board. The position will also manage the software vendor and hardware

requirements for the entire Retirement System and its membership, which requires interfacing with other City and Contracting Employer operations and departments, including the Auditor, the Unified Port District, and the Airport Authority. The Division Manager must have a thorough knowledge of other agencies retirement policies to direct the accurate calculation and payment of a reciprocal retirement benefit based on an individual's service at another agency. This position oversees all budgetary, finance, and technology issues for SDCERS. In the past two years, the scope of this position has increased dramatically as a result of the growth in members served and benefit enhancements.

The following positions report to the Division Manager: 2 Retirement Financial Specialists II, an Accountant II, an Information Systems Analyst II, and a Clerical Assistant II. This group, under the Division Manager's direction, prepares the SDCERS annual budget and financial reports, maintains all SDCERS's membership data, interacts with the Audit and Risk Management Departments to process payrolls, contributions and distributions, and handles all SDCERS's technology needs (both hardware and software). Charter Section 117 states that the Unclassified Service includes "managerial employees having significant responsibilities for formulating and administering department policies and programs. Each position shall be exempt from the Classified Service by ordinance, upon the initiation of the appropriate appointing authority and after receiving the advisory review and comment of the Civil Service Commission and approval of the City Council." Upon review of the duties and responsibilities of this position, the Commission found that the Division Manager position meets the intent of Charter Section 117 and, therefore, the request is being forwarded to the City Council with a recommendation for approval. This is an existing budgeted position within SDCERS; this action does not create an additional staff position.

Barnett/LC

**ADOPTION AGENDA, CONSENT ITEMS**  
**ORDINANCES TO BE INTRODUCED:**

\* ITEM-53: Exempting a Council Representative I Position from the Classified Service.

**DEPUTY MAYOR INZUNZA'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2003-112)

Introduction of an Ordinance exempting the position of Council Representative I in the Council Administration from the Classified Service and declaring to be in the Unclassified Service of the City of San Diego.

**ADOPTION AGENDA, CONSENT ITEMS**  
**RESOLUTIONS:**

\* ITEM-100: First Amendment to the Agreement with Camp Dresser and McKee Inc. for Water

Resources Consulting Services.

(See memorandum from Larry Gardner dated 1/8/2003.)

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2003-849)

Authorizing the City Manager to execute a First Amendment to the Water Resources Consulting Services Agreement with Camp Dresser and McKee Inc., for an amount not to exceed \$419,952;

Authorizing the expenditure of an amount not to exceed \$419,952 from Water Department Fund 41500, for the purpose of funding this amendment;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

**NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

On 1/15/2003, NR&C voted 5 to 0 to approve. (Councilmembers Zucchet, Lewis, Frye, Madaffer, and Inzunza voted yea.)

**CITY MANAGER SUPPORTING INFORMATION:**

Since the adoption of the Strategic Plan for Water Supply in 1997, the City has sought to prepare for the future by investigating water supply options and developing a long-term strategy to meet San Diego's water needs for the next 30 years. One positive step in this direction was City Council approval, on December 9, 2002, of the City of San Diego Long-Range Water Resources Plan (2002-2030). The Long-Range Water Resources Plan (Water Resources Plan) is a flexible and adaptive approach that provides the City with several water resource portfolios to pursue, thereby diversifying its water supply options.

The Water Resources Plan was the result of a two-year effort undertaken by the Water Department with members of its Citizens Advisory Board (CAB) and its consultant Camp Dresser & McKee (CDM). The objective of the Water Resources Plan was to define a flexible strategy for the next 30 years and develop evaluation tools for continued water resources planning. The recommended approach for the Water Resource Plan is to implement it in three phases. The initial phase consists of developing and implementing, by 2010, a water resources strategy that includes water conservation, reclamation, groundwater storage and treatment, and water transfers. The next step is to move from a big picture planning mode to preparing an implementation plan consisting of the resource elements listed above. This work will benefit the City in providing a plan for establishing water resource options to help maintain the reliability of the City's water supply.

In order to accomplish this effort, the Water Department is requesting that the City Council

approve an amendment to the existing CDM contract. This work will expand and extend the work already done by CDM under the original scope of the agreement. The amendment shall include the development of the water resource strategy which will involve the following: preparing an implementation plan for the 2010 water resource mix to include project costs, schedule and feasibility studies; updating the planning model created for the Water Resource Plan for seasonal analysis, incorporating the most current demand and supply data into the model; and, updating the Capital Improvements Program to include projects to develop water supply as identified in the Water Resources Plan. Taking these steps will enhance and increase the reliability of the City's water supply.

The schedule for this work anticipates a start in February 2003 with completion in October 2004. This First Amendment is for \$419,952 for a not to exceed total of \$980,667.

Mendes/Gardner/GJA

Aud. Cert. 2300824.

**ADOPTION AGENDA, CONSENT ITEMS  
RESOLUTIONS:**

- \* ITEM-101: Consultant Services for Development of the Water Department Strategic Business Plan.

(See memorandum from Larry Gardner dated 1/8/2003.)

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2003-854)

Authorizing the City Manager to execute an agreement with EMA, Inc., to provide professional services for the development of the Water Department Strategic Business Plan;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$349,631 from the Water Department Administration Division, Water Enterprise Fund 41500, for the agreement;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

**NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

On 1/15/2003, NR&C voted 5 to 0 to approve. (Councilmembers Zucchet, Lewis, Frye, Madaffer and Inzunza voted yea.)

## **CITY MANAGER SUPPORTING INFORMATION:**

The City Council adopted a motion to conduct a management review of the Water Department during Fiscal Year 2002 budget process. As a result, the City Manager's office hired Black and Veatch, an independent consulting firm, to perform the review completed in October 2001. The Management Review Study (Management Review) reported that though the Department had many good initiatives, it lacked a coherent vision and a comprehensive plan of action to attain future goals. To improve the management and operation of the Department, the Management Review recommended the development of the Water Department Strategic Business Plan.

The Department, in order to achieve greater efficiency, began the development of a formalized Strategic Business Plan (Business Plan) to clearly set forth the Department's vision, goals and objectives, and an action plan for their achievement. The Business Plan will include a strategic framework to facilitate systematic, consistent, and connected planning efforts, and provide functional and useful metrics to measure and monitor the accomplishment of goals and objectives.

The Water Department requires professional services to develop and implement the Business Plan. Expert management consultants are needed to review and analyze water industry trends, legislation, and public sentiment. and perform a "Gap" analysis that models optimal water utilities and industry best practices. These will allow the Department to better identify: industry opportunities and threats, organizational and operational strengths and weaknesses, and appropriate resource levels. Assistance is also required to conduct stakeholder outreach to ensure input is gathered from all levels internally and externally. Lastly, professional services are required to develop the Business Plan document and implement the strategic planning framework. This ensures that appropriate performance monitoring and measuring systems are developed and established, and the Business Plan is updated in a consistent and systematic manner for the future.

The Department issued a Request For Qualifications on September 20, 2002. Seven firms submitted Statement Of Qualifications and the four highest qualified were interviewed on November 4, 2002. The Department has selected the most qualified firm, EMA, Inc., to provide the required professional services.

This request for Council Action is required to approve the agreement with EMA Inc. to provide the aforementioned services and authorize the expenditure of an amount not to exceed \$349,631.

## **FISCAL IMPACT:**

The total cost of this action is \$349,631. Funding is available in FY2003, from the Water Fund 41500, Org 120 Department Management, Object Account 4222.

Mendes/Gardner/JDJ

Aud. Cert. 2300820.

## **ADOPTION AGENDA, CONSENT ITEMS RESOLUTIONS:**

- \* ITEM-102: Building Restricted Easement Vacation over Lots A, B and C of Mission City Phase III Map-14359 and Drainage Easement Vacation Within a Portion of Lot 4 of Mission City Phase III Map-14359.

(Serra Mesa Community Area. District-6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-968)

Vacating the City's interest in a building restricted easement over Lots A, B and C of Mission City Phase III, Map-14359, and a drainage easement within a portion of Lot 4 of Mission City Phase III, Map-14359, to unencumber the owner's property and facilitate development of the site, under the procedure for the summary vacation of public service easements, Section 8330 et seq of the California Streets and Highways.

**CITY MANAGER SUPPORTING INFORMATION:**

Council is requested to approve the vacation of an unneeded building restricted easement over Lots A, B and C of Mission City Phase III, Map No. 14359 and an unneeded drainage easement within a portion of Lot 4 of Mission City Phase III, Map No. 14359 as shown on Engineering Drawing No. 19957-B. This site is located northerly of Friars Road between Fenton Parkway and Northside Drive in the Serra Mesa Community Plan area.

The building restricted easement being vacated was granted on the final map of Mission City Phase III, Map No. 14359 at no cost to the City. In connection with a Substantial Conformance approval by the Planning Department, a building restricted easement of approximately equal value is being granted on a parcel map being processed at this time. The existing easement must be vacated in order to record the parcel map. The drainage easement being vacated was granted by separate instrument at no cost to the City and is no longer required for the planned development, and there is no future or anticipated use for the easement in its present location.

Staff recommends approval of the vacations.

**FISCAL IMPACT:**

None.

Ewell/Broughton/GB

**ADOPTION AGENDA, CONSENT ITEMS  
RESOLUTIONS:**

- \* ITEM-103: Four actions related to Parking Meter Districts.

(See City Manager Report CMR-02-247. Uptown, Mid-City and Centre City Community Areas. Districts-2, 3 and 8.)

**TODAY'S ACTIONS ARE:**

Adopt the following resolutions:

Subitem-A: (R-2003-964)

Authorizing the City Manager to negotiate and execute agreements with private non-profit organizations for the expenditure of Parking Meter District 2 (Uptown) and Parking Meter District 3 (Mid-City) funds;

Authorizing the transfer of Parking Meter revenues from Citywide Department No. 601 to Parking Meter District Funds as follows: \$144,000 to Fund No. 100; \$106,645 to Fund No. 70301; \$1,312,400 to Fund No. 70302; \$531,485 to Fund No. 70303; and \$182,362 to Fund No. 70304;

Authorizing the allocation and expenditures of Parking Meter District No. 1, \$1,312,400; Parking Meter District No. 2, \$531,485; Parking Meter District No. 3, \$182,362; \$144,000 for parking meter retrofits and \$106,645 for administrative costs; plus the expenditure of any carryover amounts not fully expended under prior contracts for Parking Meter Districts No. 2 and 3, and not fully expended for administrative costs.

Subitem-B: (R-2003-965)

Approving the proposed District 1 five-year parking improving plan, and one-year implementation plan;

Authorizing the City Manager to negotiate and execute an agreement with the Centre City Development Corporation, for the expenditure of Parking Meter District 1 funds, consistent with the provisions of Council Policy 100-18;

Approving the expenditure of an amount not to exceed \$1,312,400 from Fund No. 70302, to implement the activities described in the Parking Meter District 1 one-year implementation plan;

Declaring that the Council shall review the status of the Parking Meter District 1 plans on an annual basis to determine the progress in implementing the plans and to determine what monies have been allocated and which have been spent;

Authorizing the expenditure of an amount not to exceed \$106,645 from Fund No. 70301, to reimburse the General Fund's annual cost to administer the Parking Meter District Program;

Directing the City Manager to administer the Parking Meter District Program with

strict financial oversight, and to include a contractual requirement for each District to comply with the Brown Act and the Public Records Act;

Approving the extension of the allocation of 45 percent of Parking meter Revenues to Parking Meter District Fund No. 70302, subject to the City Council's annual appropriation, for a period of twenty-five years beyond the now approved Fiscal Year 2003, with future allocations to each Parking Meter District determined by the parking revenues derived in each District, to ensure the long term implementation of plans to address parking and parking-related improvements in those areas.

Subitem-C: (R-2003-966)

Approving the proposed District 2 five-year parking improving plan, and one-year implementation plan;

Authorizing the City Manager to negotiate and execute an agreement with the Uptown Partnership, Inc., for the expenditure of Parking Meter District 2 funds, consistent with the provisions of Council Policy 100-18;

Approving the expenditure of an amount not to exceed \$1,846,327 from Fund No. 70303, to implement the activities described in the Parking Meter District 2 one-year implementation plan;

Declaring that the Council shall review the status of the Parking Meter District 2 plans on an annual basis to determine the progress in implementing the plans and to determine what monies have been allocated and which have been spent;

Authorizing the expenditure of an amount not to exceed \$106,645 from Fund No. 70301 to reimburse the General Fund's annual cost to administer the Parking Meter District Program;

Directing the City Manager to administer the Parking Meter District Program with strict financial oversight, and to include a contractual requirement for each District to comply with the Brown Act and the Public Records Act;

Approving the extension of the allocation of 45 percent of Parking Meter Revenues to Parking Meter District Fund No. 70303, subject to the City Council's annual appropriation, for a period of twenty-five years beyond the now approved Fiscal Year 2002, with future allocations to each Parking Meter District determined by the parking revenues derived in each District, to ensure the long term implementation of plans to address parking and parking-related improvements in those areas.

Subitem-D: (R-2003-967)

Approving the proposed District 3 five-year parking improvement plan and one-year implementation plan;

Authorizing the City Manager to negotiate and execute an agreement with designated nonprofit corporations operating through the Mid-City Parking Meter Advisory Board for the expenditure of Parking Meter District 3 funds, consistent with the provisions of Council Policy 100-18;

Approving the expenditure of an amount not to exceed \$808,937 from Fund No. 70304 to implement the activities described in the Parking Meter District 3 one-year implementation plan;

Declaring that the Council shall review the status of the Parking Meter District 3 plans on an annual basis to determine the progress in implementing the plans and to determine what monies have been allocated and which have been spent;

Authorizing the expenditure of an amount not to exceed \$106,645 from Fund No. 70301 to reimburse the General Fund's annual cost to administer the Parking Meter District Program;

Directing the City Manager to administer the Parking Meter District Program with strict financial oversight, and to include a contractual requirement for each District to comply with the Brown Act and the Public Records Act;

Approving the extension of the allocation of 45 percent of Parking Meter Revenues to Parking Meter District Fund No. 70304, subject to the City Council's annual appropriations, for a period of twenty-five years beyond the now approved Fiscal Year 2003, with future allocations to each Parking meter District determined by the parking revenues derived in each District, to ensure the long term implementation of plans to address parking and parking-related improvements in those areas.

**PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S  
RECOMMENDATION:**

On 10/30/2002, PS&NS voted 5 to 0 (Councilmembers Atkins, Stevens, Maienschein, Frye and Inzunza voted yea) to the following:

- a) Accept the report with the deletion of bullet #5 in the Centre City Development Corporation (CCDC) project list; and b) direct the City Manager to work with CCDC and the Little Italy Association and return with an updated projects list when the Parking Meter District Program is next scheduled at the Public Safety and Neighborhood Services Committee.

**CITY MANAGER SUPPORTING INFORMATION:**

On Wednesday, October 30, 2002, the Public Safety and Neighborhood Services Committee conducted a review of the Parking Meter District Program. City Manager Report 02-247 was presented for review at that time. The PS&NS Committee accepted the Manager's Report provided the following phrase would be removed from the report: "Phase Two of the India Street Improvement Project to replace the curbs, gutters and sidewalks on India Street from Grape to

Laurel Streets. The project includes new street trees, landscaping, and streetlights.” (Bullet point #5 on Page 3)

Recently, the PMD Program has become aware that the microchip technology used in the production of Pre-Paid Parking Meter Cards has surpassed the technology available in our existing parking meters. In other words, the existing parking meters are unable to read the microchips used in new Pre-Paid Parking Meter Card Program and has indicated a need to retrofit all parking meters within the City with a new “prom” to enable our meters to read both the existing inventory of Pre-Paid Parking Meter Cards and new cards. The Parking Meter District Program will fund this retrofit to continue to market the Pre-Paid Parking Meter Cards. (Reference City Manager Report 03-005)

Herring/Cunningham/MSB

Aud. Cert. 2300845.

#### ADOPTION AGENDA, CONSENT ITEMS

##### RESOLUTIONS:

\* ITEM-104: Traffic Improvements at High Accident Locations.

(Pacific Beach, Mid-City and Clairemont Mesa Community Areas. Districts 2, 6 and 7.)

#### CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-924)

Authorizing the City Auditor and Comptroller to transfer \$123,400 from CIP-68-011.0, Traffic Signals - Modifications/Modernization, Fund 30306, Transnet; to CIP-62-001.0, Traffic Improvements at High Accident Locations, Fund 30306;

Authorizing the City Auditor and Comptroller to appropriate and expend \$123,400 from CIP-62-001.0, Traffic Improvements at High Accident Locations, Transnet funds, for the modification of traffic signals at high accident locations; provided that the City Auditor and Comptroller first certifies that the funds are available;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer any excess funds to the appropriate reserves;

Authorizing the City Auditor and Comptroller, upon direction of the City Manager, to reallocate the funding sources between Transnet cash and commercial paper funded projects as may be appropriate to maximize the use of Transnet cash and reduce the use of commercial paper funding for CIP-62-001.0, Traffic

Improvements at High Accident Locations, projects.

**CITY MANAGER SUPPORTING INFORMATION:**

Improvements to the traffic signals at several locations were previously identified and programmed under CIP-62-001.0, Traffic Improvements at High Accident Locations, Job Order 620071. After design was completed it was determined that the funds initially programmed were insufficient for the scope of the improvements required to bring the intersections up to current design standards. Additional funds were identified in CIP-68-011.0, Traffic Signals - Modifications/Modernization. This action is to transfer \$123,400 from CIP-68-011.0 to CIP-62-001.0 to fully fund the improvements.

The locations to be improved are:

University Avenue at Winona Avenue (Council District 7, Mid-City)  
Clairemont Mesa Boulevard at Kleefeld Avenue (Council District 6, Clairemont Mesa)  
Ingraham Street at Pacific Beach Drive (Council District 2, Pacific Beach)

**FISCAL IMPACT:**

The estimated total cost of this project is \$183,400.

Loveland/Belock/PB

**ADOPTION AGENDA, CONSENT ITEMS  
RESOLUTIONS:**

\* ITEM-105: Fund Transfers for Various Median Projects.

(Navajo/College Community Area. District-7.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-972)

Authorizing and directing the City Auditor and Comptroller to amend the Capital Improvement Program [CIP] Budget to increase CIP-52-692.0, Montezuma Road (Fairmount Avenue to College Avenue) Median Improvements, Fund 30245, Capital Outlay Fund, by the amount of \$50,000, in accordance with the Fiscal Year 2003 Appropriation Ordinance;

Authorizing the City Auditor and Comptroller to reprogram funds in an amount not to exceed \$50,000 from Council District 7 Fiscal Year 2002 Community Development Block Grant (CDBG) fund allocation to CIP-35-087.0, Otay Mesa Nestor Branch Library Expansion;

Authorizing the City Auditor and Comptroller to transfer funds in an amount not to exceed \$50,000 from CIP-35-087.0, Otay Mesa/Nestor Branch Library Expansion, Fund 30245, Capital Outlay Fund, to CIP-52-692.0, Montezuma Road (Fairmount Avenue to College Avenue) Median Improvements for the purpose of constructing median improvements on Montezuma Road (Fairmount Avenue to College Avenue).

Authorizing the expenditure of an amount not to exceed \$50,000 from CIP-52-692.0, Montezuma Road (Fairmount Avenue to College Avenue) Median Improvements, Fund 30245, Capital Outlay Fund, for the purpose of constructing median improvements on Montezuma Road (Fairmount to College Avenue);

Authorizing and directing the City Auditor and Comptroller to amend the Capital Improvement Program [CIP] Budget to increase CIP-52-493.00, College Avenue (I-8 to Camino Rico) Median Improvements by the amount of \$185,000, of which \$160,000 is from Fund 30309, TransNet Infrastructure Fund, and \$25,000 is from Fund 79506, Navajo Development Impact Fees, for the purpose of constructing median improvements on College Avenue (I-8 to Camino Rico), in accordance with the Fiscal Year 2003 Appropriation Ordinance;

Authorizing the expenditure of a total amount not to exceed \$185,000 from CIP-52-493.0, College Avenue (I-8 to Camino Rico) Median Improvements, of which \$160,000 is from Fund 30309, TransNet Infrastructure Fund, and \$25,000 is from Fund 79506, Navajo Development Impact Fees, for the purpose of constructing median improvements on College Avenue (I-8 to Camino Rico);

Authorizing the City Manager, or his designated representative, to accept \$25,000 into Fund 63022, Private and Other Contributions, CIP-52-493.0, College Avenue (I-8 to Camino Rico) Median Improvements, from Chevron Stations (Del Cerro Boulevard and College Avenue) to replace funds expended from Fund 79506, Navajo Development Impact Fees, for CIP-52-493.0, College Avenue (I-8 to Camino Rico) Median Improvements;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to return excess funds from Fund 30245, Capital Outlay Fund, not to exceed \$50,000, from CIP-52-692.0, Montezuma Road (Fairmount Avenue to College Avenue) Median Improvements, to CIP-39-234.0, El Cajon Boulevard Median Improvements;

Authorizing the City Auditor and Comptroller upon advice from administering departments to transfer excess budgeted funds, if any, to the appropriate reserves.

#### **CITY MANAGER SUPPORTING INFORMATION:**

The Montezuma Road (Fairmount Avenue to College Avenue) Median Improvements project is currently in the beginning of construction state. The Construction started on October 8, 2002. The project consists of the replacement of AC (Asphalt Concrete) medians with decorative concrete, landscaped, and irrigated medians. The additional funds are required to pay for

unforeseen construction work items such as additional pavement removal under the existing road way.

The College Avenue (Interstate 8 to Camino Rico) Median Improvements project is currently in the final stage of design. The project includes replacement of AC medians with stamped concrete medians and other community related improvements. The additional funds are required to pay for increased scope of work: replacement of AC Medians with stamped concrete medians on Del Cerro Boulevard between College Avenue and Madra Avenue.

**FISCAL IMPACT:**

The total estimated cost for Montezuma Road (Fairmount Avenue to College Avenue) Median Improvements project is now \$880,000. The additional funding in the amount of \$50,000 is available from Council District 7 FY 2003 Community Development Block Grant (CDBG) which is compatible with the existing Otay Mesa /Nestor Library Expansion Funding.

The total estimated cost for College Avenue (I-8 to Camino Rico) Median Improvements project is now \$478,700. The additional funding in the amount of \$185,000 is available: \$160,000 from TransNet Infrastructure Fund 30309, and \$25,000 from Fund 79506 Navajo Development Impact Fees.

Loveland/Belock/PB

Aud. Cert. 2300859.

**ADOPTION AGENDA, CONSENT ITEMS  
RESOLUTIONS:**

- \* ITEM-106: Memorandum of Understanding with the San Diego Port District for Construction of Water Group Job 525D.

(See memorandum from Frank Belock, Jr. dated 1/8/2003. Barrio Logan Community Area. District-8.)

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2003-936)

Authorizing the City Manager to execute a phase funded Memorandum of Understanding (MOU) with the San Diego Unified Port District, for the construction of Water Main Replacement Group Job 525D on Harbor Drive, for an amount not to exceed \$902,000;

Authorizing the expenditure of an amount not to exceed \$1,261,809 from Water Fund No. 41500, CIP-73-083.0, Annual Allocation - Water Main Replacements, for the MOU and related in-house engineering and design costs, contingent upon passage of the FY04 Capital Improvement and Appropriations Ordinance Budgets,

and provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller, upon advice from the administering department to transfer excess budgeted funds, if any, to the appropriate reserves.

**NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

On 1/15/2003, NR&C voted 5 to 0 to approve. (Councilmembers Zucchet, Lewis, Frye, Madaffer and Inzunza voted yea.)

**CITY MANAGER SUPPORTING INFORMATION:**

Water Main Replacement Group 525D is part of the City of San Diego's continuing Annual Water Main Replacement Program. This project consists of installing 5,352 LF of 10 to 16-inch water mains within the Barrio Logan community. The project will replace the existing water mains which were constructed in 1942 and have reached the end of their service life. This project was scheduled for construction in FY05.

The San Diego Port District (Port District) will be performing environmental mitigation and construction of a parking structure at the southwest corner of Harbor Drive and 8<sup>th</sup> Avenue in early 2003. The Port District has requested the City to accelerate the replacement of 1,500 linear feet of 16-inch cast iron main proposed in Water Group Job 525D on Harbor Drive. The integrity of the existing 16-inch main could be impacted by this adjacent improvement project which could lead to a pipeline failure that might cause a number of customers to be out of water and possible property damage.

City staff determined that this is the most economical and efficient method, and it benefits the City to have the Port District replace this portion of the water main, in conformance with the plans and specification provided by the City. The City will reimburse the Port District for its share of costs associated with the construction and administration of this project (which is 10% of the construction costs) through a Memorandum of Understanding Agreement. The construction cost is estimated to be approximately \$902,000 and funds are available in Fund 41500, CIP-73-083.0.

**FISCAL IMPACT:**

Total cost of this project is \$1,276,809, of which \$15,000 has been previously authorized. Funding of \$1,261,809 is available from Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacement. Funding will be available in FY04.

Loveland/Belock/HR

WWF-03-645.

**ADOPTION AGENDA, CONSENT ITEMS  
RESOLUTIONS:**

\* ITEM-107: Reappointments to the Relocation Appeals Board.

(See memorandum from Mayor Murphy dated 2/7/2003 with resumes attached.)

**MAYOR MURPHY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-987)

Council confirmation of the following reappointments by the Mayor to serve as members of the Relocation Appeals Board, with terms expiring as indicated:

<b><u>Name</u></b>	<b><u>Term Ending</u></b>
Eva Sanchez Pesqueira	October 1, 2004
Charles R. Dyer	October 1, 2004

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS  
RESOLUTIONS:**

ITEM-200: Multiple Species Conservation Program - Property Acquisitions.

(Del Mar Mesa and East Elliot Community Areas. Districts-1 and 7.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2003-963)

Authorizing and approving the following actions by the Council of the City of San Diego:

1. An increase of \$1,630,000 to the Fiscal Year 2003 Capital Improvements Project in CIP-37-443.0, Multiple Species Conservation Program Property Acquisitions;
2. The appropriation of \$1,630,000 from the Habitat Acquisition Fund (Fund 10571), to CIP-37-443.0, Multiple Species Conservation Program Property Acquisitions;
3. The expenditure of an amount not to exceed \$1,630,000 from CIP-37-443.0, Multiple Species Conservation Program Property Acquisitions, for the acquisition of upland habitat open space parcels in the Del Mar Mesa Specific Plan region and the East Elliot area of the City of San Diego.

**CITY MANAGER SUPPORTING INFORMATION:**

The City seeks to acquire three parcels in the Del Mar Mesa area, and one in the East Elliot region, as part of the continued implementation of the Multiple Species Conservation Program.

The subject parcels, totaling approximately 23 acres, were identified by MSCP staff as biologically-critical properties to be sought, based on their location, habitat content, and appraised value. Acquisition of these properties is deemed essential for the continued conservation of San Diego's unique bio-diversity.

This action authorizes the expenditure of an amount not to exceed \$1,630,000 from the Habitat Acquisition Fund. The Habitat Acquisition Fund was authorized and approved by Resolution R-275129, adopted February 12, 1990.

**FISCAL IMPACT:**

Funds totaling \$1,630,000 are available in Fund 10571, (Habitat Acquisition Fund).

Herring/Griffith/SLG

Aud. Cert. 2300848.

**PUBLIC NOTICES:**

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-250: Settlement of the Property Damage Claim of Moeun Lon Unn, et al.

(R-2003-862)

Adopted as Resolution R-297556.

A Resolution approved by the City Council in Closed Session on Tuesday, January 14, 2003, by the following vote: Peters-yea; Zucchet-yea; Atkins-yea; Lewis-yea; Maienschein-yea; Frye-yea; Madaffer-yea; Inzunza-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$88,850.03 in the settlement of each and every claim against the City, its agents and employees, resulting from the property damage claim of Moeun Lon Unn, et al. on February 24, 2002 (Claim File No. LP02-0705-2364).

Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$88,850.03 made payable to Luth and Turley, Inc., in full settlement of all claims.

Aud. Cert. 2300717.

**NOTE:** This item is placed on a Council docket, so that the official and public record will reflect the adoption of this Resolution. It does not require any further Council action.

**PUBLIC NOTICES:**

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-251: Notice of Completion and Acceptance of Subdivision Improvement Agreement.

Notice is hereby given that the City Manager of the City of San Diego intends to file a "Notice of Completion and Acceptance of Subdivision Improvement Agreement" indicating that the improvements included in the Subdivision Improvement Agreement have been satisfactorily completed for the following subdivisions:

SUBDIVISION

Torrey Hills Unit 8A

COMMUNITY AREA

Sorrento Hills Community

The certification shall be recorded 15 days after the date this notice appears on the Council Docket or shortly thereafter. If any person wishes to object to the filing of this notice, such person should communicate the objection on or before that date to the Director or Planning and Development Review or to the Subdivision Engineer, City Operations Building, 1222 First Avenue (MS 507), San Diego, CA 92101.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-330: Mission Valley Heights-Lot 3.

Matter of approving, conditionally approving, modifying or denying an application to/for: 1. Amend the Mission Valley Heights Specific Plan, the Mission Valley Community Plan and the City of San Diego Progress Guide and General Plan (to accommodate a change in the planned land use pertaining to Lot 3 from 8,800 sq. ft. of restaurant use, to 26,000 square-foot of commercial office use, and to shift development intensity from other lots within the Mission Valley Heights Specific Plan Area to Lot 3, and to reduce the permitted commercial office development on Lot 1 from 295,000 square-feet to 286,000 square-feet); and also to/for 2. Amend Planned Commercial Development Permit No. 84-0128 and approve a Planned Development Permit (to allow development of a two-story, approximately 26,000 square-foot office building on Lot 3 in lieu of an 8,800 square-foot restaurant). The developed 2.22-acre legal lot is addressed as 7675 Mission Valley Road and is legally described as to Lot 3, Mission Valley Heights, Map No. 11034, within the MV-M/SP (Mission Valley-Multiple Use/Specific Plan) Zone of the Mission Valley Planned District.

(Amendment(s) to: the Mission Valley Heights Specific Plan; the Mission Valley Community Plan and the City of San Diego Progress Guide and General Plan; Amendment to Planned Commercial Development Permit No. 84-0128/ Planned Development Permit/Project Tracking System No 2052. Mission Valley Community Plan area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolutions in Subitems A and B; and adopt the resolution in Subitem C to grant the permit:

Subitem-A: (R-2003-940)

Adoption of a Resolution certifying that the information contained in the Mitigated Negative Declaration LDR-41-1000, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations Section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of a Planned Development Permit, Amendment to Planned Commercial Development Permit No. 84-0128 and an Amendment to the Mission Valley Heights Specific Plan for the Mission Valley Heights Project;

That the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that the Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is approved;

That pursuant to California Public Resources Code Section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment;

That the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

Subitem-B: (R-2003-941)

Adoption of a Resolution amending the Mission Valley Heights Specific Plan and the Mission Valley Community Plan, a copy of which is on file in the Office of the City Clerk;

That the Council adopts an amendment to the Progress Guide and General Plan for the City of San Diego to incorporate the above amended plan.

Subitem-C: (R-2003- )

Adoption of a Resolution granting or denying Planned Development Permit No. 8902, with appropriate findings to support Council action.

**OTHER RECOMMENDATIONS:**

Planning Commission on November 21, 2002, voted 5-0 to approve; no opposition.

Ayes: Garcia, Brown, Steele, Chase, Lettieri  
Recusing: Schultz

Not present: Anderson

The Mission Valley Unified Planning Organization, on January 9, 2002, voted 16-1-5 to recommend approval of this project.

### **SUPPORTING INFORMATION:**

The Mission Valley Heights project proposes: An Amendment to the Mission Valley Heights Specific Plan (MVHSP), the Mission Valley Community Plan; and the City of San Diego's Progress Guide and General Plan to accommodate a change in the planned land use on Lot 3 from restaurant to office use and to shift development intensity from Lot 24 to Lot 3; and a Planned Development Permit (PDP) (amending Planned Commercial Development Permit No. 84-0128) to allow development of 26,000 square-feet of commercial office use on Lot 3 in lieu of 8,800 square-feet of restaurant use.

In 1987, the City Council approved the MVHSP which is the current planning document for this 107-acre subdivision. The MVHSP Area consists of 27 parcels designated for/developed with light industrial, office and commercial uses. The Mission Valley Community Plan designates the MVHSP as the implementing tool for development within the Plan area, located east of Highway 163, west of Mission Center Road, and north of Friars Road. The MVHSP specifies development regulations pertaining to site development of specific parcels including land use designation, parking, setback requirements, floor area ratio, building area/coverage maximums and landscape area minimums.

The Project consists of a two-story, 26,000 square-foot office building site on a southeasterly portion of the 2.2-acre parcel (Lot 3). Existing easements occupy significant portions of the site and restrict building locations to the southeasterly corner. Vehicular access is proposed via shared access agreements across adjacent parcels to the west and south. Staff has reviewed this project and determined that it complies with applicable requirements of the MVHSP.

### **TRAFFIC IMPACT:**

This project proposes a change in the planned land use on Lot 3 from 8,800 square feet of restaurant use to 26,000 square-feet of commercial use. The proposed 10,500 square-foot shift in development intensity from Lot 24 to Lot 3 results in a net increase of zero (0) average daily trips. Therefore, a Trip Allocation Table has not been provided.

### **FISCAL IMPACT:**

All costs associated with the processing of this application are recovered from an individual deposit account maintained by the Applicant.

Ewell/Christiansen/WCT

### **LEGAL DESCRIPTION:**

The 2.22-acre graded site is currently undeveloped and is located at the southwest corner of the intersection of Mission Center Road and Mission Valley Road, in the Mission Valley Community Plan and is more particularly described as Lot 3 of Mission Valley Heights, Map No. 11034.

## ADOPTION AGENDA, DISCUSSION, HEARINGS

### NOTICED HEARINGS:

ITEM-331: Torrey Hills Center.

Matter of approving, conditionally approving, modifying or denying a rezone of the property from CC-1-3 to the proposed CN-1-2 and a planned development permit to allow the development of a retail/office center including a supermarket, family medical office center and other retail buildings on a vacant commercial site. The property is located at the southeast corner of Carmel Mountain Road and East Ocean Air Drive in the CC-1-3 zone in the Sorrento Hills Community Plan Area.

(See City Manager's Report CMR No. 03-020. Rezone/Planned Development Permit No. 2118, PTS No. 1119/MND LDR No. 41-0648. Sorrento Hills Community Plan Area. District-1.)

### CITY MANAGER'S RECOMMENDATION:

Introduce the ordinance in Subitem A; adopt the resolution in Subitem B; and adopt the resolution in Subitem C to grant the permit:

Subitem-A: (O-2003-104)

Introduction of an Ordinance changing 17.1 acres located at the southeast corner of Carmel Mountain Road and East Ocean Air Drive, within the Sorrento Hills Community Plan Area, in the City of San Diego, California, from the CC-1-3 Zone (Previously referred to as the CA Zone) into the CN-1-2 and OP-2-1 Zones (Previously referred to as the CN and OS-R Zones), as defined by San Diego Municipal Code Section 131.0502 and 131.0202; and repealing Ordinance O-18393 (New Series), adopted March 31, 1997, of the ordinances of the City of San Diego insofar as the same conflicts herewith.

Subitem-B: (R-2003-898)

Adoption of a Resolution certifying that the information contained in the Mitigated Negative Declaration LDR-41-0648, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations Section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of a rezone and planned development permit for the Torrey Hills Center project;

That the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that the Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is approved;

That pursuant to California Public Resources Code Section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment;

That the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

Subitem-C: (R-2003- )

Adoption of a Resolution granting or denying Planned Development Permit No. 2118, with appropriate findings to support Council action.

### **OTHER RECOMMENDATIONS:**

Planning Commission on November 14, 2002 voted 7-0 to approve; no opposition.

Ayes: Anderson, Lettieri, Brown, Chase, Garcia, Schultz, Steele

The Sorrento Hills Community Planning Board voted on March 19, 2002, unanimously eight to zero to approve the revised project with conditions.

### **CITY MANAGER SUPPORTING INFORMATION:**

The proposed project site is located within the Sorrento Hills Community Plan in the Torrey Hills Unit 13 Planning Area and is designated for Neighborhood Commercial development by the CC-1-3 zone. The project site is bounded by Carmel Mountain Road to the north, East Ocean Air Drive to the West, a 150-foot SDG&E easement to the south, and vacant undeveloped land to the east. The surrounding land uses include residential uses to the north and south, a commercial use is approved and not yet developed to the west, a SDG&E Substation exists to the west, and vacant undeveloped land to the east. The site is not inside or adjacent to the Multi-Habitat Planning Area (MHPA). Carmel Mountain Road, designated as a four lane major road, fronts the site to the north and East Ocean Air Drive, a four-lane collector road at the intersection, bounds the site to the west. The nearest MHPA area is within the Los Penasquitos Canyon Preserve approximately 600 to 1,000 feet to the south. The site has been rough graded and contains little vegetation. There is minor erosion control on small slopes to the west, north and southern project boundaries with some remaining native habitat and ruderal vegetation on the eastern third of the site. The site is relatively flat and rises slightly from the west to the east. Elevations range from approximately 290 feet to 370 feet above the average mean sea level.

The applicants are proposing a zone change to Neighborhood Commercial (CN-1-2) to be consistent with the land use designation in the Sorrento Hills Community Plan.

### **FISCAL IMPACT:**

All costs associated with the processing of this project are recovered by a deposit account maintained by the applicant.

Ewell/Christiansen/JSF

**LEGAL DESCRIPTION:**

The project site is located at the southeast corner of Carmel Mountain Road and East Ocean Air Drive, in the community of Sorrento Hills and is more particularly described as Parcel 2-6 and 7 or Parcel Map-18123, City and County of San Diego.

**NON-DOCKET ITEMS**

**ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES**

**ADJOURNMENT**



## THE CITY OF SAN DIEGO MANAGER'S REPORT

DATE ISSUED: October 23, 2002 REPORT NO. 02-247

ATTENTION: Public Safety and Neighborhood Services Committee;  
Agenda of October 30, 2002.

SUBJECT: Parking Meter Districts (PMDs)

REFERENCE: Manager's Report No. 01-210, dated October 3, 2001; Manager's Report No. 01-023, dated February 2, 2001; Manager's Report No. 99-203, dated October 25, 1999; Manager's Report No. 96-221, dated October 24, 1996; Council Policy 100-18 ("Parking Meter Revenue Allocation & Expenditure Policy")

### SUMMARY

Issue - Shall the City Council adopt a Resolution to authorize the City Manager to negotiate and execute agreements with CCDC and private non-profit organizations for the expenditure of Parking Meter District 1 (Downtown), Parking Meter District 2 (Uptown) and Parking Meter District 3 (Mid-City) funds, consistent with the provisions of Council Policy 100-18, the Parking Meter Revenue Allocation and Expenditure Policy, and to allocate funds for associated administrative costs?

Manager's Recommendation - Adopt a Resolution to authorize the Manager to negotiate and execute agreements with CCDC for the expenditure of Parking Meter District 1 funds, with private non-profit organizations for the expenditure of Parking Meter District 2 and Parking Meter District 3 funds, and to allocate funds for associated administrative costs.

Fiscal Impact - None by this action. If approved, this action would allocate parking meter revenue funds which the Council has already appropriated.

Environmental Impact - This action is exempt from CEQA pursuant to the State CEQA Guidelines, Section 15262, "Feasibility and Planning Studies." Actual projects resulting from these planning activities will require further environmental assessment.

## BACKGROUND

Council Policy 100-18, effective March 1997, established the Parking Meter District Program as a mechanism to fund and implement solutions to parking problems in areas where parking meters are located. The Policy provides for a Parking Meter District to retain forty-five percent (45%) of the parking meter revenues collected within its area. These funds are to be used for improvement and activities that increase the availability, supply and effective use of parking to residents, visitors and employees within the area in which the meter is located. Funds may be used for parking supply (parking structures, surface lots, valet parking, etc.), signage, marketing and communication of parking locations, landscaping, maintenance, and security purposes.

The City Council has established three PMDs - District 1 (Downtown), District 2 (Uptown), and District 3 (Mid-City). Council allowed for the creation of new Districts in areas with more than one hundred (100) parking meters. By Resolution, the Council designated an advisory board for each established PMD. Council Policy 100-18 requires that the advisory boards develop and annually present to the City annual one-year improvement plans.

On February 2, 2001, the Public Safety and Neighborhood Services Committee conducted a review of the Parking Meter District Program. At that meeting, the PS&NS Committee established a Parking and Mobility Task Force in response to a letter from the PMDs. The objective of the task force was to establish a dialogue between the City and PMDs on policies, procedures and standards which must be considered when PMDs develop and implement solutions to parking and pedestrian mobility issues. The Task Force was comprised of representatives from the PMDs and involved City departments. The Task Force reported back to the PS&NS Committee at the last PMD review on October 10, 2001 and was requested to report back at the next PMD review.

### **DOWNTOWN: Parking Meter District One**

City Council designated the management of the Downtown Parking Meter District (District 1) to the Centre City Development Corporation. On October 5, 1999, the City Council authorized the issuance of parking revenue bonds by the Redevelopment Agency to fund the construction of a 501 space parking facility (Park-it-on-Market) at Sixth Avenue and Market Street. Pursuant to the bond indenture, CCDC receives a portion of the parking meter revenues at the City's option. In addition to the parking meter revenues, the bonds primary security is the net operating revenues from the parking facility and certain subordinate tax increment revenues from the Centre City Project Area.

The following activities have been facilitated with Downtown PMD funds:

#### Continuous

\$ A parking garage containing 501 parking spaces and 2,300 square feet of retail space at the ground level opened in January 2001. The facility is located on the north side of Market

Street between Sixth and Seventh Avenue and serves the Gaslamp Quarter and East Village parking needs.

- \$ Develop and maintain a public information website ([www.ccdc.com](http://www.ccdc.com)) to provide information on parking opportunities in the Downtown area.
- \$ Manage the Downtown Information Center. The Center distributes maps, offers tours of the downtown area, and provides ongoing parking/pedestrian support to local area visitors, businesses and residents.
- \$ Establish self-guided walking tour maps. The walking tour of Little Italy is completed with other downtown neighborhood walking tours in development.

#### In Process

- Installation of 62 parking meters in the Marina District to increase the turnover of parking and provide a better use of on-street parking to businesses. CCDC will be responsible for 45% of the installation cost of the meters (\$23,000) and the City will be responsible for the remainder (\$28,000).
- \$ Street improvements within El Cortez Hill with a vision to increase parking supply by converting parallel parking spaces to angled (diagonal), installing additional parking meters and revising the current street circulation patterns (two-way to one-way).
- A parking garage (Park It On Market South) located on the 55,000 square foot site bounded by Market Street, Seventh, Eighth and Island avenues. The garage will feature 980 parking spaces and 6,000 square feet of retail space in a 7-story structure including a basement level. Interim surface improvements permit 187 surface parking spaces prior to garage construction. Construction is anticipated to begin in 2005.
- A 1,230-space parking structure (R7) is planned for the full block bounded by 6th and 7th avenues and K and L streets. 230 basement level spaces would be dedicated to the Omni Ballpark Hotel south of L Street. This project is expected to break ground in early 2003. The project will be a public-private venture.
- \$ Phase Two of the India Street Improvement Project to replace the curbs, gutters and sidewalks on India Street from Grape to Laurel streets. The project includes new street trees, landscaping, and streetlights.
- Future projects include parking structures “Fifth and Broadway”, and “Columbia and C”.

#### Completed

- A “wayfinding” program (directional signage) was established throughout the downtown area in late 1999
- Phase One of the India Street Improvements increased neighborhood parking by converting parallel parking spaces to angled (diagonal) parking spaces on the east side of the street.
- \$ Residential Permit Parking studies for Little Italy and Cortez Hill to test the need for and appropriateness of residential parking permits in these downtown districts.

#### **UPTOWN: Parking Meter District Two**

The City Council designated Uptown Partnership, Inc., a California non-profit corporation, as the

advisory board and fiscal agent for the Uptown Parking Meter District (District 2). Uptown Partnership, Inc. has expended parking meter funds to prepare the annual plan, implement components of the annual plan and update the five-year parking improvement plan. The annual plan is summarized in Attachment 1 of this report.

The following activities have been facilitated with Uptown PMD funds:

#### Continuous

- \$ Manage the Uptown Information Kiosk - a public information service at 5<sup>th</sup> and University Avenue which sells parking meter cards, monthly bus passes, universal transit tokens, and provides transit and tourist information.
  - \* During the last PMD contract term, the Uptown PMD had monthly sales of approximately 7,000 hours of pre-paid parking meter cards, 1,700 hours of additional parking meter time with the reloading terminals and over \$12,000 in bus passes per month.
- \$ Establish locations to sell parking meter cards. There are currently seven (7) locations.
- \$ Fund and develop a parking meter card reloading program with the Parking Management Division to add extra time to existing parking meter cards. Establish locations within the Uptown area with reloading terminals. There are currently four (4) locations with reloading terminals. To date, the Uptown PMD has sold over \$20,000 in reloading time. Assist with the implementation of reloading terminals in other PMDs.
- \$ Sponsored, and will annually sponsor, a utility box art project to enhance the business and pedestrian environment within Uptown, bringing the total number of utility boxes painted in Hillcrest to thirty-two (32).
- \$ Publishes the Uptown Community Parking Map and distributes the map to the community and throughout the City. Reprinted in May 2002.
- \$ Distributes a bi-monthly newsletter with an approximate circulation of 2,000.
- \$ Developed and maintains a public information website ([www.uptownpartnershipinc.org](http://www.uptownpartnershipinc.org)) to provide information on parking opportunities in the Uptown area
- \$ Maintains an office and provides ongoing parking/pedestrian support to local area businesses and residents.
- \$ Actively participating in the PMD Parking & Mobility Task Force.

#### In Process

- \$ Developing a wayfinding signage program to direct vehicles from entry points into the neighborhood to off-street parking facilities and from the neighborhood to access points for Interstate 163. First Phase of signage to begin installation in October 2002.
- \$ Preparing an existing parking inventory and street condition study for the Uptown business core. This study is being conducted by a consultant as a result of an RFP process. The study also includes a mapping of the core Uptown area, forecasting of future parking demand and the evaluation of employee parking needs.
- \$ Developing self-guided walking tour maps to promote the benefits of walking.
- \$ Working with the Mission Hills Association and Traffic Engineering Division to identify additional parking spaces within the Mission Hills business core.

- \$ Partnering with the Mission Hills Association to improve pedestrian walkability at the intersection of Washington Street and Goldfinch Street.
- \$ Partnering with the Hillcrest Association to provide additional on-street parking and improve pedestrian walkability along University Avenue and Normal Street.

#### Completed

- \$ Funded and installed a “multi-space” parking meter demonstration project on the 1400 block of University Avenue with Traffic Engineering and Parking Management Division. The multi-bay meter was installed on May 29, 2002.
- \$ Coordinated and hosted “Feet First” walking tours within the Uptown area to discuss and assess the pedestrian environment. Also hosted a community forum to discuss the benefits of walkable communities.

#### **MID-CITY: Parking Meter District Three**

The City Council designated the Mid-City Parking Meter District Advisory Board as the advisory board for Parking Meter District 3. Because of the highly dispersed location of parking meters within PMD 3, and the unique characteristics of each community within which meters are located, the PMD 3 Advisory Board recommended a unique organizational structure. In October, 1999, the City Council approved the Advisory Board’s recommendation of a community-by-community organizational structure.

Three community based organizations within PMD 3 are designated as fiscal and administrative agents. The Golden Hill Community Development Corporation and the University Heights Community Development Corporation serve specific subareas of PMD 3, and the El Cajon Boulevard Business Improvement Association serves the remainder. Each of these community based organizations has flexibility to institute its own parking and pedestrian improvement plans to support community businesses and residents. The designated PMD 3 organizations have expended parking meter funds to prepare the annual plan, implement components of the annual plan and update the five-year parking improvement plan. Their annual plans are summarized in Attachment 2A, 2B and 2C.

The following activities have been facilitated with Mid-City PMD funds:

The El Cajon Boulevard BIA is addressing the parking requirements of business owners and residents located along or near El Cajon Boulevard, Adams Avenue and in the College Area.

- Promotes and sells Pre-Paid Parking Meter cards at the El Cajon Blvd BIA office and at neighborhood events.
- \$ Developing a program to encourage commercial property owners in the district to replace, at no cost, abandoned curb cuts (driveways) to allow for additional on-street parking.
- Collecting information about In Lieu Parking Fee Programs offered by other areas.
- Participating in the Normal Heights “Safe Routes to School” program.
- \$ Partnering with businesses to investigate short term parking improvements.
- \$ Funding pedestrian and landscaping improvements adjacent to a public parking lot on Adams Ave.

- \$ Informing businesses/residents of the purpose/intent of meters and time limited parking.
- \$ Providing businesses with information regarding the goals and objectives of the Parking Meter District program.
- \$ Assisted Kensington/Talmadge investigate concepts which would provide additional on-street parking, traffic calming and improve pedestrian walkability along Euclid Avenue north of El Cajon Boulevard.
- \$ Preparing an existing parking and street condition study, report and database.
- \$ Actively participating in the PMD Parking & Mobility Task Force.

The Golden Hill CDC is addressing the parking needs of both shoppers and residents within the four commercial nodes of the community, without adding additional parking meters.

- Engaged the services of a consultant to complete a study for traffic flow and the effects to emergency response times pertaining to the 25<sup>th</sup> Street Fire Station in an effort to gain support of the San Diego Fire Department for reconfiguration of the 25th Street business corridor. Street improvements proposed include installation of diagonal parking and reduction of the current 4 lane configuration to a 3 lane configuration. The results of the study are currently being reviewed by the City of San Diego Traffic Engineering Department.
- \$ Preparing an existing on-street and off-street parking conditions study and determining needs.
- \$ Investigating creative short term parking solutions specific to each node.
- \$ Informing businesses and residents of the purpose and intent of meters, time limited parking and the goals and objectives of the program.
- \$ Incorporating parking as an element of the area's revitalization plan.
- \$ Actively participating in the PMD Parking & Mobility Task Force.

The University Heights CDC is addressing the intense parking shortage within the commercial node of University Heights.

- Promotes and sells Pre-Paid Parking Meter cards at the University Heights CDC office and at University Heights neighborhood events.
- \$ Actively participating in the PMD Parking & Mobility Task Force, University Avenue Traffic Calming Steering Committee and Neighborhood Code Compliance Parking Issues Task Force.
- Continuing collaboration with the Greater North Park Community Planning Committee Transportation Subcommittee. (Priority project: Evaluate a raised or "table top" crosswalk with a pedestrian refuge from the southwest corner of Adams and Florida to the entryway of the Trolley Barn Park.)
- \$ Continuing with Part II of a Parking & Mobility Study, including an existing street parking condition study and a parking inventory database.
- \$ Developing an informational website to inform the public of parking opportunities within the University Heights community.
- \$ Ensuring parking needs are addressed in the area's Planned District Ordinance revisions.
- Completed Part I of a Parking & Mobility Study along Park Boulevard between Meade, Adams Ave and Georgia Street on the east and North Avenue on the west. As a result, requested cost estimates from Traffic Engineering for phased mid-street median with angled

parking on North Ave between Adams and Meade (in order to substantially increase the number parking spaces).

- Coordinated and participated in a Traffic Issue Workshop meeting with the University Heights Community Association.

### **Other PMD Expenditures**

In addition to the above expenditures and unexpended allocations, there are other expenditures from the Parking Meter District fund. In FY 1998, the City entered into a five year lease-purchase agreement to retrofit all parking meters with electronic functions. Electronic meters are more reliable than mechanical meters. The new meters allow for a precise measurement of parking meter revenue on a per-meter basis and enhance each PMD's data collection for planning localized improvements. The lease-purchase agreement had an annual cost of \$227,000 and the last payment on the lease was made during FY 2002. This expenditure is summarized in Attachment 3.

### **Parking and Mobility Task Force**

The Task Force researched policies, procedures and standards which impact the annual funding of the Parking Meter District program which include: requests for on-street parking and street improvements; removing abandoned curb-cuts (driveways); installing on-street parking spaces and curb designation regulations; placement of parking meters; mobility and pedestrian enhancements, and public information regarding parking. One of the goals of the Parking Task Force is to incorporate what is learned from the PMDs to improve policy and procedure citywide. The summary report from the Parking and Mobility Task Force is Attachment 4.

### **Community and Economic Development Department**

CED staff not only administers the existing Parking Meter District Program, but actively responds to parking meter district inquiries from other areas. Parking Meter District Program staff members are currently collaborating with other City departments on projects relating to visitor parking in the community of La Jolla, the North Park Redevelopment Project Area and others. CED staff is also evaluating methods for increasing the usage of the Pre-Paid Parking Meter Cards. These cards are a useful tool for making parking meters more accessible to the public. There have been requests from vendors of the Pre-Paid Parking Meter Cards for an incentive program, whereby vendors of the parking meter card would receive nominal compensation to sell the cards in an effort to increase the availability of the cards to the public. Currently, about 5% of all parking meter revenue is generated from Pre-Paid Parking Meter Cards. CED staff will work with existing Parking Meter Districts to increase this percentage and will be evaluating the potential for a vendor incentive or validation-type program.

### **DISCUSSION**

To proceed in implementing Council Policy 100-18, the designated advisory boards are presenting their annual one-year plans (contractual scope and services) for the City's review. The Uptown and Mid-City PMD annual one-year plans are summarized in Attachments 1 and 2.

The Parking Meter District revenue distribution based on the allocation formula in Council Policy 100-18 is shown in Attachment 3.

The City Manager recommends entering into agreements with the Uptown Partnership, El Cajon Boulevard Business Improvement Association, Golden Hill Community Development Corporation, and the University Heights Community Development Corporation for continuing plan development and plan implementation. To the extent that plan implementation requires the organization to engage in a project, then that project will require an environmental assessment, as would any other improvement project. Some actions or projects, such as property acquisition and/or variances from City standards will require review and approval by City Council.

Ninety-five percent of the PMD funds will be used for each District's plan development and direct implementation expenses and five percent of the total Program budget will be allocated to cover the City's direct costs involved in administering the Program. Unexpended funds are returned to the parking meter revenue fund for subsequent reallocation in following fiscal years at the City Council's option.

The following are the direct City costs involved in implementing the Program and itemized in Attachment 3:

- Review and analysis of long term financing options, provided through the Financing Services Division, budgeted at \$12,500 per year;
- Overall program coordination, provided through the Economic Development Division's Special Projects, estimated at \$89,000 per year, including contract administration and monitoring, annual revenue tracking and budgeting, plan coordination, and serving as each district's City liaison regarding planning, engineering, financing, landscape maintenance, and other issues;
- Other incidental charges, budgeted at \$12,344 per year, to include City Attorney, Real Estate Assets, Auditor review of specific projects to be implemented, and public information addressing on-street parking, parking meters and the City's parking meter card.

### ALTERNATIVES

1. Do not allocate PMD funds according to the provisions of Council Policy 100-18, and do not authorize the City Manager to negotiate and execute agreements regarding Parking Meter District 2 (Uptown) and Parking Meter District 3 (Mid-City).
2. Allocate PMD funds according to the provisions of Council Policy 100-18, but direct the Manager to negotiate and execute implementation agreements with alternative organizations regarding Parking Meter District 2 (Uptown) and Parking Meter District 3 (Mid-City).

Respectfully submitted,

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Hank Cunningham  
Director  
Community and Economic Development

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APPROVED: Bruce Herring  
Deputy City Manager

CUNNINGHAM/JVK/MRS

- Attachments:
1. [Strategic Mobility Plan and Budget: Uptown Partnership, Inc.](#)
  2. Annual One-Year Plan and Budget:
    - (a) [El Cajon Blvd BIA](#)
    - (b) [University Heights CDC](#)
    - (c) [Golden Hill CDC](#)
  3. [Prior and Proposed Parking Meter Revenue Allocations](#)
  4. [Report from Parking and Mobility Task Force](#)